

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

Herbert Ballard,)
Plaintiff,) C/A No.: 0:08-04150-CMC-PJG
v.)
Commissioner of Social Security Administration,)
Defendant.)

)

ORDER

This matter is before the court on Plaintiff's petition for attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"). 5 U.S.C. § 504; 28 U.S.C. § 2412. Plaintiff's motion, filed on March 24, 2010, seeks \$3,590.82 in attorney's fees, representing 3.7 attorney hours at the rate of \$187.25 per hour and 32.2 legal nurse consultant hours at the rate of \$90.00 per hour. *See* Dkt. No. 28-6 (Ex. E.). Plaintiff has additionally requested \$366.62 for expenses, including \$350.00 for a filing fee and \$16.62 for postage. Dkt. No. 28 at 2; Dkt. No. 28-4 (Ex. C.).

On April 12, 2010, the Commissioner filed a response to Plaintiff's petition, informing the court that the parties have agreed to a reduced attorney's fee award of \$3,176.40 and an award of \$16.62 for expenses. The Commissioner notes that Plaintiff will receive a separate award of \$350.00 for costs from the Judgment Fund. Dkt. No. 29 at 1.

In light of the parties' agreement, the court finds that the amount sought is reasonable and orders, pursuant to the EAJA and 31 U.S.C. § 1304, that Plaintiff be awarded \$3,193.02 for attorney's fees and expenses and \$350.00 for costs.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
April 16, 2010